

### Remarks

Claims 22-31 are at issue. Claims 22-31 stand rejected under 35 USC § 103 (a), as being unpatentable over Naik et al. (5548647) in view of Higgins (5339385) and further in view of Hakaridani (4516215).

The Examiner cites Hakaridani as showing preliminary decisions. Hakaridani clearly states that he is concerned with preliminary selection (See abstract & Col. 1, lines 9-10). A preliminary selection according to Hakaridani is the process of selecting a limited number of reference words (word fragments) before the execution of the recognition step (see Col. 1, lines 29-32). The present application describes a preliminary decision as:

A decision weighting and combining system 24 uses the measure of closeness to determine if the test utterance is closest to the training utterance or the impostor utterance. When the test utterance is closer to the training utterance than impostor utterance, a verified decision is made. When the test utterance is not closer to the training utterance than the impostor utterance, an un-verified decision is made. These are preliminary decisions. Usually, the speaker is required to speak several utterances (e.g., “one”, “three”, “five”, “twenty one”). A decision is made for each of these test utterances. Each of the plurality of decisions is weighted and combined to form the verification decision. Page 6-7, starting at line 19.

Clearly a preliminary decision is a binary yes or no. A preliminary selection is a way of limiting the number of reference words that have to be compared against the input. Clearly Hakaridani does not disclose preliminary decisions. While this should be enough to eliminate Hakaridani, these distinctions are also in the claims.

### Response to Response to Arguments

The Examiner is incorrect that a measure of the probability of false alarm has anything to do with previously measured false alarms. A probability of false alarm is a statistical measure that can be and is calculated for communication systems and other systems without any previous measurements.

### Claims

Claim 22 specifically requires the preliminary decisions to be either a true or a false. Hakaridani does not teach the use of “preliminary decisions that are either true or false. A preliminary decision according to Hakaridani is the process of selecting a limited number of reference words (word fragments) before the execution of the recognition step (see Col. 1, lines 29-32). Claim 22 is allowable.

Claim 23 is allowable as being dependent upon an allowable base claim.

Claims 24 requires using a historical probability of false alarm. This not discussed in the prior art. The section pointed to by the Examiner does discuss the probability of false alarms. But it clearly does not discuss the use of historical probability of false alarms. Claim 24 is clearly allowable over the prior art.

Claims 26, 27 & 28 are allowable as being dependent upon an allowable base claim.

Claim 29 specifically requires the preliminary decisions to be either a true or a false. Hakaridani does not teach the use of "preliminary decisions that are either true or false. A preliminary decision according to Hakaridani is the process of selecting a limited number of reference words (word fragments) before the execution of the recognition step (see Col. 1, lines 29-32). Claim 29 is allowable.

Claim 30 is allowable as being dependent upon an allowable base claim.

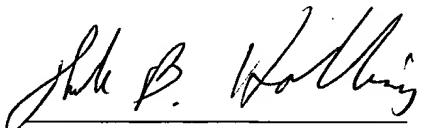
Claim 31 specifically requires the preliminary decisions to be either a true or a false. Hakaridani does not teach the use of "preliminary decisions that are either true or false. A preliminary decision according to Hakaridani is the process of selecting a limited number of reference words (word fragments) before the execution of the recognition step (see Col. 1, lines 29-32). Claim 31 is allowable.

Prompt reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

(Bossemeyer, Jr. et al.)

By

  
Attorney for the Applicant

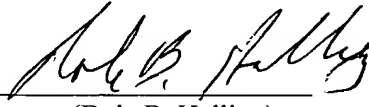
Dale B. Halling

Phone: (719) 447-1990

Fax: (719) 447-0983

I hereby certify that a Response is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on:

5/20/04  
Date

  
Signature (Dale B. Halling)